



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/556,349 | 04/24/2000 | YIHONG GONG | CA1055 | 7865 |

23493 7590 09/27/2004

SUGHRUE MION, PLLC
401 Castro Street, Ste 220
Mountain View, CA 94041-2007

EXAMINER

HESELTINE, RYAN J

ART UNIT PAPER NUMBER

2623

DATE MAILED: 09/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|-------------------|--------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/556,349 | GONG ET AL. | |
| | Examiner | Art Unit | |
| | Ryan J Hesseltine | 2623 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 July 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 and 31-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 and 31-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 April 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments on pages 1-3, filed July 20, 2004, with respect to the rejection(s) of claim(s) 1 and 31 under 35 U.S.C. § 102(e) have been fully considered and are persuasive.

Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of different interpretation of the previously applied reference, Ratakonda (USPN 5,956,026).

2. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-5, 11, 12, 31-35, 41, and 42 are rejected under 35 U.S.C. 102(e) as being anticipated by Ratakonda (USPN 5,956,026, previously cited).

5. Regarding claims 1 and 31, Ratakonda discloses a method and computer-readable medium containing a program for summarizing a content of an input video sequence, said input video sequence comprising a plurality of frames (column 3, line 21-29), said plurality of frames being grouped into a plurality of video segments (column 4, line 42-63), said method and program comprising: (a) selecting a frame cluster (represented by keyframe k1) in said input

Art Unit: 2623

video sequence which corresponds to a most static one (minimized action) of said video segments (column 6, line 26-column 7, line 33; Figure 6); (b) computing a content value (keyframe similarity based on histogram feature vectors) in said selected frame cluster (column 9, line 13-56); (c) using said computed content value (similarity) to cluster remaining frames (keyframes representing video shots) in said input video sequence (column 9, line 44-column 10, line 42).

6. Regarding claims 2 and 32, Ratakonda discloses that in said step (a), said frame cluster is selected using a refined feature space representation (treat each histogram as a feature vector of its associated frame) of said input video sequence (column 9, line 44-56).

7. Regarding claims 3 and 33, Ratakonda discloses that in said step (a), each of said plurality of frames is transformed into a histogram vector indicative of a spatial distribution of colors in said each of said plurality of frames (column 4, line 48-54).

8. Regarding claims 4 and 34, Ratakonda discloses that in said (a) each of said plurality of frames (finest level keyframes) is divided into a plurality of blocks, each of said plurality of blocks being represented by a histogram in a color space indicative of a distribution of colors within each of said plurality of blocks (column 11, line 1-17; column 14, line 15-47).

9. Regarding claims 5 and 35, Ratakonda discloses that each of said plurality of frames (finest level keyframes) is divided into a plurality of blocks and each said histogram vector comprises a plurality of histograms in a color space, each of said plurality of histograms corresponding to one of said plurality of blocks (column 11, line 1-17; column 14, line 15-47).

Art Unit: 2623

10. Regarding claims 11 and 41, Ratakonda discloses a step (d) including outputting a plurality of keyframes, each of said plurality of key frames representative of said clustered frames (column 4, line 54-63).

11. Regarding claims 12 and 42, Ratakonda discloses that said selecting comprises locating a cluster (having a histogram vector) closest to an origin (centroid or mean histogram assigned as a representative vector) of said refined feature space (column 10, line 6-42).

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 17 and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ratakonda in view of Lim (USPN 6,574,378, previously cited).

14. Regarding claims 17 and 47, Ratakonda discloses a method for summarizing a content of an input video sequence (column 3, line 21-29), said method comprising: (a) selecting frames (keyframes) from said input video sequence (column 4, line 54-63), said selected frames being taken at a fixed (equispaced) interval (column 7, line 42-49); (d) selecting a cluster (represented by keyframe k1) in said refined feature space corresponding to a most static (minimized action) video segment (Figure 6; column 6, line 26-column 7, line 33); (e) computing a content value (keyframe similarity based on histogram feature vectors) corresponding to said selected cluster (column 9, line 13-56); (f) using said computed content value to cluster frames in said input video sequence (column 9, line 44-column 10, line 42). Ratakonda does not disclose (b) creating

Art Unit: 2623

a feature frame matrix using said selected frames; or (c) performing a singular value decomposition on said feature frame matrix to obtain a matrix representing said video sequence in a refined feature space.

15. Lim discloses a method and apparatus for indexing and retrieving images using visual keywords wherein during indexing (or retrieval) of a visual document, a spatial aggregation map (SAM) of occurrences of visual tokens is created which represents a visual-content signature for the visual document (column 9, line 14-28). Subsequently, the SAM is input to a singular-value-decomposition (SVD) based coding module to produce a refined feature (reduced dimensionality) space representing a coded description of a visual document wherein a frequency matrix X associates visual keywords and visual documents by concatenating linearized SAM vectors of visual documents as column vectors of the matrix X (column 9, line 29-37). It would have been obvious to one of ordinary skill in the art at the time the invention was made to obtain a refined feature space using a singular value decomposition of an input video sequence as taught by Lim in order to reduce the dimensionality and possibly the noise in the spatial aggregation map to produce a coded description of a visual document (column 9, line 29-33).

16. Claims 6-9 and 36-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ratakonda as applied to claims 2 and 32 above, and further in view of Lim.

17. Regarding claims 6 and 36, Lim discloses that said refined feature space representation is obtained using a singular value decomposition of said input video sequence (column 9, line 14-37; see above discussion of claims 17 and 47).

Art Unit: 2623

18. Regarding claims 7 and 37, Ratakonda discloses that minimization (to a refined feature space) is performed using frames (keyframes) selected with a fixed interval (equispaced) from said input video sequence (column 7, line 42-49).

19. Regarding claims 8 and 38, Lim discloses that said selected frames (linearized SAM vectors) are arranged into a feature frame matrix (X), and wherein said singular value decomposition is performed on said feature frame matrix (column 9, line 33-44).

20. Regarding claims 9 and 39, Lim discloses that said singular value decomposition produces a matrix (X), each column of said matrix representing a frame (SAM vectors of visual documents) in a refined feature (reduced dimensionality) space corresponding to a frame in said input video sequence (column 7, line 33-44).

21. Claims 10 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ratakonda as applied to claims 1 and 31 above, and further in view of Uchihachi et al. (USPN 6,535,639, previously cited), hereafter Uchichachi.

22. Regarding claims 10 and 40, Ratakonda does not disclose a step (d) using said clustered frames to output a motion video representative of a summary of said input video sequence. Uchihachi discloses automatic video summarization using a measure of shot importance and a frame-packing method wherein a video may be modified during playback to emphasize the measure of shot importance in order to de-emphasize less important shots, or skip shots entirely that are less important than a predetermined threshold, resulting in a summary or "video skim" (column 9, line 53-60). It would have been obvious to one of ordinary skill in the art at the time the invention was made to output a motion video representative of a summary of an input video

Art Unit: 2623

sequence as taught by Uchihachi in order to emphasize the measure of shot importance by de-emphasizing or skipping less important shots and also allowing the user to generate a personal video summary (column 9, line 53-60).

23. Claims 13-16 and 43-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ratakonda as applied to claims 2 and 32 above, and further in view of Castelli et al. (USPN 6,122,628, newly cited), hereafter Castelli.

24. Regarding claims 13 and 43, Ratakonda discloses that said step (c) comprises: (c)(1) sorting a plurality of vectors in said refined feature space according to a distance of each of said vectors to an origin (representative vector) of said refined feature space representation (column 9, line 49-column 10, line 20); (c)(2) selecting a vector among said sorted vectors which is closest to an origin (representative vector) of said refined feature space representation and including said selected vector into a first cluster (column 10, line 35-37); (c)(3) clustering said plurality of sorted vectors in said refined feature into a plurality of clusters according to a distance between each of said plurality of sorted vectors and vectors in each of said plurality of clusters and an amount of information in each of said plurality of clusters (column 10, line 37-42). Ratakonda does not explicitly disclose that the vectors are sorted in ascending order.

25. Castelli discloses multidimensional data clustering and dimension reduction for indexing and searching wherein eigenvalues (characteristic values of a transformation matrix produced by singular value decomposition; column 11, line 9-16) are sorted by decreasing magnitude and a subset of ordered eigenvalues containing the largest eigenvalues are selected according to a selection criterion (column 11, line 25-31). Castelli sorts in decreasing order, but it would have

Art Unit: 2623

been obvious to sort in ascending order, depending on the needs of the system. It would have been obvious to one of ordinary skill in the art at the time the invention was made to sort a plurality of vectors in said refined feature space in ascending order as taught by Castelli in order to aid in the selection of the vectors (eigenvalues) according to a user-specified selection criterion (column 11, line 28-40).

26. Regarding claims 14 and 44, Ratakonda discloses that in said step (c)(3) said plurality of sorted vectors are clustered into said plurality of clusters such that said amount of information (action) in each of said plurality of clusters does not exceed an amount of information (action) in said first cluster (column 6, line 45-60).

27. Regarding claims 15 and 45, Ratakonda discloses that said first cluster is composed of frames (keyframes) based on a distance variation between said frames (column 8, line 52-63) and an average distance between frames in said first cluster (same as the distance since the keyframes are equispaced; column 7, line 45-49).

28. Regarding claims 16 and 46, Ratakonda discloses that each of said plurality of clusters is composed of frames (keyframes) based on a distance variation between said frames (column 8, line 52-63) and an average distance between frames in said each of said plurality of clusters (same as the distance since the keyframes are equispaced; column 7, line 45-49).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan J Hesseltine whose telephone number is 703-306-4069.

The examiner can normally be reached on Monday - Friday, 8:30 AM - 5 PM.

Art Unit: 2623

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amelia Au can be reached on 703-308-6604. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ryan J. Hesseltine
September 21, 2004

JINGGEWU
PRIMARY EXAMINER

